

REMARKS

In response to the Office Action dated February 5, 2009, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 1, 5-14, 36, and 39-46 are currently pending in this application.

Rejections under § 112

The Office rejected claim 1 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Independent claim 1 has been amended, so the Office is respectfully requested to re-examine claim 1 in its current presentation.

Rejection of Claims under § 103 (a)

The Office rejects claims 1, 5-6, 15-20, 22-25, 27-30, 32-34, 36-38, 40-41, and 44-46 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,005,861 to Humpleman in view of U.S. Patent 6,493,875 to Eames, *et al.* and further in view of U.S. Patent 6,732,366 to Russo.

Second, claims 1, 5-6, 36, and 44-46 are not obvious over *Humpleman*, *Eames*, and *Russo*. These claims recite, or incorporate, features that are not taught or suggested by the combined teaching of *Humpleman*, *Eames*, and *Russo*. Independent claim 1, for example, recites “a port for sending high-bandwidth information signals from the data switch” and “a plug-in module connected to another port of the data switch, the plug-in module wirelessly transmitting lower bandwidth audio signals.” Support for such features may found at least at page 5, line 14 through page 6, line 5 and at page 14, lines 7-19. Independent claim 36 recites similar features.

The combined teaching of *Humpleman*, *Eames*, and *Russo* does not obviate these features. *Humpleman* and *Russo* have been previously discussed in great detail in the official

record, so no further explanation is needed. *Eames* teaches a gateway having “a set of buses” to route information. See U.S. Patent 6,493,875 to Eames, *et al.* at column 5, lines 25-35 and at FIG. 3. Even so, the combined teaching of *Humpleman*, *Eames*, and *Russo* fails to teach or suggest all the features recited by independent claims 1 and 36. *Humpleman*, *Eames*, and *Russo*, for example, fails to teach or suggest “a port for sending high-bandwidth information signals from the data switch” and “a plug-in module connected to another port of the data switch, the plug-in module wirelessly transmitting lower bandwidth audio signals.” One of ordinary skill in the art, then, would not think that independent claims 1 and 36 are obvious over *Humpleman*, *Eames*, and *Russo*.

Claims , 5-6, 36, and 44-46, then, are not obvious over *Humpleman*, *Eames*, and *Russo*. Independent claims 1 and 36 recite many features that are not taught or suggested by the proposed combination of *Humpleman*, *Eames*, and *Russo*, and their respective dependent claims incorporate these features and recite additional features. One of ordinary skill in the art, then, would not think that these claims are obvious over *Humpleman*, *Eames*, and *Russo*, so the Office is respectfully requested to remove the § 103 (a) rejection of these claims.

Rejection of Claim 39 under § 103 (a)

Claim 39 was rejected under 35 U.S.C. § 103 (a) as being obvious over *Humpleman*, *Eames*, and *Russo* and further in view of U.S. Patent 4,809,069 to Meyer. Claim 39, though, depends from independent claim 36 and, thus, incorporates the same distinguishing features. Because the combined teaching of *Humpleman*, *Eames*, *Russo*, and *Meyer* still fails to teach or suggest all the features of independent claim 36, one of ordinary skill in the art would not think that claim 39 is obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of this claim.

Rejection of Claims 7 & 42 under § 103 (a)

The Office also rejected claims 7 and 42 under 35 U.S.C. § 103 (a) as being obvious over *Humpleman, Eames, and Russo* and further in view of U.S. Patent 5,768,527 to Zhu, *et al.* Claims 7 and 42, however, depend, respectively, from independent claims 1 and 36 and, thus, incorporate the same distinguishing features. As the above paragraphs already explained, *Humpleman, Eames, and Russo* are silent to all the features of independent claims 1 and 36, and *Zhu* does not cure these deficiencies. *Zhu* discloses a “rate scaler” that reduces bitrates of multimedia streams. Still, though, the combined teaching of *Humpleman, Eames, Russo, and Zhu* still fails to teach or suggest all the features of independent claims 1 and 36. The combined teaching of *Humpleman, Eames, Russo, and Zhu*, then, cannot obviate claims 7 and 42, so the Office is respectfully requested to remove the § 103 (a) rejection of these claims.

Rejection of Claims 8-14 & 43 under § 103 (a)

Claims 8-14 and 43 were also rejected under 35 U.S.C. § 103 (a) as being obvious over *Humpleman, Eames, and Russo* and further in view of U.S. Patent 6,104,861 to Tsukagoshi and further in view of U.S. Patent 5,473,772 to Halliwell, *et al.*

Claims 8-14 and 43, though, are not obvious over the combined teaching of *Humpleman, Eames, Russo, Tsukagoshi, and Halliwell*. These claims depend from either independent claim 1 or 36 and, thus, incorporate the same distinguishing features. As the above paragraphs already explained, *Humpleman, Eames, and Russo* are silent to all the features of independent claims 1 and 36, and the added teachings of *Tsukagoshi* and *Halliwell* do not cure these deficiencies. Even if *Tsukagoshi* discloses a “content item storage position identifier,” and even if *Halliwell* allegedly discloses “a new content item storage position identifier,” the combined teaching of *Humpleman, Eames, Russo, Tsukagoshi, and Halliwell* still fails to teach or suggest all the features independent claims 1 and 36. Claims 8-14 and 43, then, cannot be obvious, so the Office is respectfully requested to remove the § 103 (a) rejection of these claims.

If any questions arise, the Examiner is invited contact the undersigned at (919) 469-2629
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott P. Zimmerman". The signature is stylized with large, sweeping loops and is positioned above the printed name.

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